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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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26389	7590	11/01/2006	EXAMINER	
CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC 1420 FIFTH AVENUE SUITE 2800 SEATTLE, WA 98101-2347			CONTINO, PAUL F	
			ART UNIT	PAPER NUMBER
			2114	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/814,591	BENEDEK ET AL.
	Examiner	Art Unit
	Paul Contino	2114

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 31 March 2004.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-21 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-21 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 31 March 2004 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. _____.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) Notice of Informal Patent Application

6) Other: _____.

DETAILED ACTION: Non-Final Rejection

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 6, 8, 9, 15, 17, and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 8, 9, 17, and 18 recite the limitation "the system registry". There is insufficient antecedent basis for this limitation in the claims.

Claims 6 and 15 recite the limitation "the library" in lines 4 and 5, respectively. There is insufficient antecedent basis for this limitation in the claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 19 is rejected under 35 U.S.C. 102(b) as being anticipated by Smith (*Internet Explorer Security Options, Part 2*).

As in claim 19, IE discloses a computer-readable medium bearing computer-executable instructions which, when executed:

identifies plug-in modules used in conjunction with a Web browser (*Figure 2, ActiveX controls and plug-ins*);

displays a graphical user interface that lists the plug-in modules used in conjunction with a Web browser (*Figure 2*); and

supports disabling one or more of the plug-in modules used in conjunction with a Web browser (*Figure 2, "disable" radio button*).

The Examiner interprets that a main characteristic of the invention as disclosed in the Applicant's Specification relates to failure of a plug-in module. There is no such inclusion of this element which Applicant considers as integral in the novelty of the disclosed application. The Examiner recommends inclusion of claimed limitations regarding such failure characteristics.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 3, 10, 11, and 12 are rejected under 35 U.S.C. 103(a) as being obvious over KB276550 (*Description and Availability of Internet Explorer Error Reporting Tool*) in view of WORD (*Windows 95/98/2000/NT MS Word 97-2000 Document Viewer Installation and Getting Started*).

The applied KB276550 reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention “by another”; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(l)(1) and § 706.02(l)(2).

As in claims 1 and 10, KB276550 teaches in a computing device having at least one module that extends the functionality of a Web browser, a method of identifying a module that generated a failure (*page 3*), as well as a computer-readable medium, comprising:

in response to receiving notice of a failure, obtaining selected contents of memory of said computing device created at the time of the failure (*page 3, where the "error report" implies an obtaining of memory content*);

generating a failure signature that is characteristic of the module that generated the failure (*pages 3 and 4, where a failure signature characteristic of a plug-in module is implied in order to distinguish which patch to apply*); and

comparing said failure signature with one or more failure signatures generated by known modules (*pages 3 and 4, where comparing a failure signature characteristic of a plug-in module is implied in order to distinguish which patch to apply*).

However, KB276550 fails to teach of a plug-in module. WORD teaches of a plug-in module (*page 1*).

It would have been obvious to a person skilled in the art at the time the invention was made to have included a plug-in as taught by WORD in the invention of KB276550. This would have been obvious because the Word Viewer as taught by WORD extends the functionality of a web browser without the necessity of installing the full Microsoft Word program. One skilled in the art would have desired a fault capability and error reporting for any type of error present in Internet Explorer. Further, the Applicant discloses on page 2 in lines 20 and 21 that it is known for a plug-in module in a web browser to fail.

As in claims 2 and 11, KB276550 teaches that if the failure signature is characteristic of a known plug-in module, determining if the known plug-in module has an update that does not generate a failure (*page 4, second paragraph, patch or workaround*).

As in claims 3 and 12, KB276550 teaches if the known plug-in module has an update that does not generate failures, informing the user of the availability of the update (*page 4, second paragraph, direction to an appropriate Web site*).

* * *

4. Claims 4 and 13 are rejected under 35 U.S.C. 103(a) as being obvious over KB276550 in view of WORD, further in view of Smith.

As in claims 4 and 13, the combined invention of KB276550 and WORD teaches of a plug-in module that generates a failure. However, the combined invention of KB276550 and WORD fails to teach of disabling the plug-in. Smith teaches of the ability to disable a plug-in that extends the functionality of a Web browser (*Figure 2*).

It would have been obvious to a person skilled in the art at the time the invention was made to have included the disabling as taught by Smith in the combined invention of KB276550 and WORD. This would have been obvious because if a known plug-in is causing an error, a user of a Web browser, such as Internet Explorer, would have found it preferable to inhibit the occurrence of such an error in order to continue using the browser without further fault.

* * *

5. Claims 5 and 14 are rejected under 35 U.S.C. 103(a) as being obvious over KB276550 in view of WORD, further in view of MEP (*Microsoft Error Reporting*).

As in claims 5 and 14, the combined invention of KB276550 and WORD teach the limitations of claims 1 and 10, respectively. However, the combined invention of KB276550 and WORD fail to teach of a minidump file. MEP teaches that obtaining the contents in memory of said computing device at the time of the failure includes obtaining a minidump file (*page 3*).

It would have been obvious to a person skilled in the art at the time the invention was made to have included the minidump file as taught by MEP in the combined invention of KB276550 and WORD. This would have been obvious because MEP describes in further detail the data collection policy of the error reporting taught by KB276550.

* * *

6. Claims 6, 7, 15, and 16 are rejected under 35 U.S.C. 103(a) as being obvious over KB276550 in view of WORD, further in view of Glerum et al. (U.S. Patent No. 6,629,267).

As in claims 6 and 15, the combined invention of KB276550 and WORD teaches of a failure signature from memory characteristic of a plug-in module that has generated a failure. However, the combined invention of KB276550 and WORD fails to teach of a library. Glerum et al. teaches of identifying the library that was executing at the time of the failure (*column 6 lines 37-54, where “mso.dll” is interpreted as a library*); and determining the plug-in module

that uses said library (*column 6 lines 37-54, where application "WinWord" is interpreted as the plug-in module executing*). KB276550 teaches of identifying the application that interacts with the plug-in module that uses said library (*page 3, where Internet Explorer is interpreted as an application*).

It would have been obvious to a person skilled in the art at the time the invention was made to have included the library as taught by Glerum et al. in the combined invention of KB276550 and WORD. This would have been obvious because Glerum et al. offers a means of reporting information about a failure in order for diagnosis and correction (*page 1 lines 59-63*). Further, the exemplary module WinWord.exe as taught by Glerum et al. is interpreted as equivalent to the plug-in Word Document Viewer as taught by WORD.

As in claims 7 and 16, Glerum et al. teaches of searching a minidump file (*column 8 lines 1-16*).

* * *

7. Claims 8, 9, 17, and 18 are rejected under 35 U.S.C. 103(a) as being obvious over KB276550 in view of WORD, further in view of Glerum et al. (U.S. Patent No. 6,629,267), further in view of REG (*Microsoft Computer Dictionary*, page 445).

As in claims 8 and 17, the combined invention of KB276550, WORD, and Glerum et al. teaches of associations between plug-in modules and libraries (*column 6 lines 37-63, where the*

AppName, AppVer, ModuleName, and ModuleVer are interpreted as associations, in light of the Applicant's description as such on page 12 in lines 10-17). However, the combined invention of KB276550, WORD, and Glerum et al. fails to teach of specifically searching the registry for such information. REG teaches of a registry (page 445).

It would have been obvious to a person skilled in the art at the time the invention was made to have included a registry as taught by REG in order to determine the information present in the combined invention of KB276550, WORD, and Glerum et al. This would have been obvious because it is well known in the art that such profile and application information is stored in a registry (page 445).

As in claims 9 and 18, the combined invention of KB276550, WORD, and Glerum et al. teaches of associations between applications and plug-in modules (*column 6 lines 37-63, where the AppName, AppVer, ModuleName, and ModuleVer are interpreted as associations, in light of the Applicant's description as such on page 12 in lines 10-17).* However, the combined invention of KB276550, WORD, and Glerum et al. fails to teach of specifically searching the registry for such information. REG teaches of a registry (page 445).

It would have been obvious to a person skilled in the art at the time the invention was made to have included a registry as taught by REG in order to determine the information present in the combined invention of KB276550, WORD, and Glerum et al. This would have been obvious because it is well known in the art that such profile and application information is stored in a registry (page 445).

* * *

8. Claim 20 is rejected under 35 U.S.C. 103(a) as being obvious over Smith in view of WORD, further in view of Glerum et al., further in view of REG.

As in claim 20, Smith teaches the limitations of claim 19. However, Smith fails to teach of searching the system registry. WORD teaches of a plug-in module for the Internet Explorer web browser (*page 1*). Glerum et al. teaches of associations between plug-in modules and a Web browser (*column 6 lines 37-63, where the AppName, AppVer, ModuleName, and ModuleVer are interpreted as associations, in light of the Applicant's description as such on page 12 in lines 10-17*). REG teaches of a registry (*page 445*).

It would have been obvious to a person skilled in the art at the time the invention was made to have included a plug-in as taught by WORD in the invention of Smith. This would have been obvious because the Word Viewer as taught by WORD extends the functionality of a web browser without the necessity of installing the full Microsoft Word program. One skilled in the art would have desired a fault capability and error reporting for any type of error present in Internet Explorer. Further, the Applicant discloses on page 2 in lines 20 and 21 that it is known for a plug-in module in a web browser to fail.

It would have been obvious to a person skilled in the art at the time the invention was made to have included the associations as taught by Glerum et al. in the combined invention of Smith and WORD. This would have been obvious because Glerum et al. offers a means of reporting information about a failure in order for diagnosis and correction (*page 1 lines 59-63*).

Further, the exemplary module WinWord.exe as taught by Glerum et al. is interpreted as equivalent to the plug-in Word Document Viewer as taught by WORD.

It would have been obvious to a person skilled in the art at the time the invention was made to have included a registry as taught by REG in order to determine the information present in the combined invention of Smith, WORD, and Glerum et al. This would have been obvious because it is well known in the art that such profile and application information is stored in a registry (*page 445*).

* * *

9. Claim 21 is rejected under 35 U.S.C. 103(a) as being obvious over Smith in view of KB276550.

As in claim 21, Smith teaches the limitations of claim 19. However, Smith fails to teach of indicating whether a plug-in module may be updated. KB276550 teaches if a plug-in module may be updated (*page 4, second paragraph, direction to an appropriate Web site*).

It would have been obvious at the time the invention was made to have included the update characteristics as taught by KB276550 in the invention of Smith. This would have been obvious because KB276550 offers a solution to fix errors present in a system (*page 1*). Further, both elements disclosed by KB276550 and Smith are present in the Internet Explorer web browser in order to make the user aware of potential faults, and a means for fixing the faults in order to continue using the Internet Explorer browser.

Examiner's Note

10. The inventions of KB276550, Smith, WORD, Glerum et al., and REG are interpreted as being components present within the Internet Explorer web browser. As such, the Internet Explorer web browser is interpreted as being the computer-executable instructions on the computer-readable medium. The Examiner interprets the invention as claimed as not being novel in view of Microsoft's Internet Explorer system already implemented at and before the time of the Applicant's presently disclosed invention.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

U.S. Patent No. 6,148,336 Thomas et al. discloses plug-ins and an associated web browser.

U.S. Patent No. 6,950,990 Rajarajan et al. discloses a browser interface with plug-ins.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Contino whose telephone number is (571) 272-3657. The examiner can normally be reached on Monday-Friday 9:00 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Baderman can be reached on (571) 272-3644. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PFC
10/27/2006



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SUPERVISORY PATENT EXAMINER